

REMARKS

This paper is filed in response to the Office Action mailed May 3, 2006, the period of response having been extended until November 3, 2006. Claims 1-2 and 4-18 remain in this application; claim 3 has been canceled.

Newly amended claim 1 finds proper support in the previously amended versions of claims 1 and 3, and the paragraph starting at page 11, line 1 of the specification. Amended claims 4 and 5 are properly presented noting that they have simply had their dependency changed from claim 3 to claim 2 since original claim 3 has been canceled, and that claims 6, 7, 15, 16 and 18 have been amended so as to correct clerical errors. Applicant further submits that claims 8-18 have been amended so as to change "A power supply" to "An electrical power supply" for consistency.

In the outstanding Office Action, several objections were raised to the specification for various informalities. The Applicant submits that any informalities have been corrected by the replacement paragraphs provided hereinabove.

Claims 6, 7, 15, 16 and 18 have been objected to on informal grounds. The Applicant submits that the cited informalities have been corrected in amended claims 6, 7, 15, 16 and 18.

In the Office Action, the Examiner rejected claims 1-3, 5, 7, 9, 12 and 16 under 35 U.S.C. 102(e) as being anticipated by Turner et al. (2004/0263127). Applicant provides the following to address this objection.

Amended claim 1 recites:

"An electrical power supply for providing electrical power to a load, the power supply comprising:

a plurality of energy storage elements each having a different operating characteristic and connected in an electrical circuit to said load;

a circuit element interposed between at least one of said storage elements and said load and operable to segregate said one of said energy storage elements therefrom, said circuit element being selected to match supply of energy to said load to said characteristics of said storage elements; and

a power monitoring unit to monitor power supplied by at least one of said energy storage elements to said load and **control demand by said load** in power from said at least one of said energy storage elements.” [Emphasis added]

At page 6 of the outstanding Action, it is stated that “the power supply of Turner includes a power monitoring unit (118) to monitor one of the energy storage elements (117) and vary the demand thereon from the load (102) (see paragraph 40, lines 2-4 and paragraph 43, lines 1-11).”. However, Turner et al. teaches that “The function of circuit **118** is to protect batteries **117** from over-current condition, which is defined as being a current greater to or equal to the predetermined maximum operational current.” (paragraph [0043], lines 2-5) and that “Once circuit **118** detects that the battery current is equal to or greater than the predetermined maximum operational current, it electrically isolates batteries **117** from terminals **107** and **108**.” (paragraph [0044], lines 1-4). Thus, Turner et al. teaches the isolation of the batteries **117** from the load in case of over-current conditions, it does not teach a power monitoring unit to monitor power supplied by at least one of said energy storage elements to said load and **control demand by said load** in power from said at least one of said energy storage elements.

Thus Turner et al. teaches away from a power monitoring unit to monitor power supplied by at least one of said energy storage elements to said load and **control demand by said load** in power from said at least one of said energy storage elements.

Therefore it is submitted that independent claim 1 is not anticipated by Turner et al. and therefore neither are claims 2, 5, 7, 9, 12 and 16 anticipated as they are all dependent on claim 1.

Claims 1, 2, 8, 12, 13 and 14 are also rejected as being anticipated under 35 U.S.C. 102(b) as being anticipated by Weimer et al., U.S. Patent No. 5,982,156. Applicant has considered the rejection and comments as follows.

Amended claim 1 now incorporates the subject matter of claim 3, the rejection of claim 1 is thus now believed to be moot. As claim 1 is submitted not to be anticipated by Weimer et al., likewise dependent claims 2, 8, 12, 13 and 14 are also submitted not to be affected by this reference.

Claim 10 stands under 35 U.S.C. 103(a) as being unpatentable over Turner et al. in view of Weimer et al. Respectfully, Applicant disagrees for at least the same reason as amended claim 1 and therefore submits that amended claim 10 is patentable over Turner et al. and Weimer et al. taken either individually or collectively.

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al. in view of Lee et al., U.S. Patent No. 6,451,481.

The applicant reiterates the arguments put forth for amended claim 1 and notes further that Lee et al. teaches of a lithium polymer battery but does not teach of a power monitoring unit to monitor power supplied by at least one of said energy storage elements to said load and control demand by said load in power from said at least one of said energy storage elements.

The Applicant therefore submits that amended claim 11 is patentable over Turner et al. and Lee et al. taken either individually or collectively.

Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al. in view of Upadhyay et al., U.S. Patent No. 5,998,930.

Applicant reiterates the arguments put forth for amended claim 1 and adds that Upadhyay et al. teaches of an electronic ballast with two-step boost converter and method but does not teach of a power monitoring unit to monitor power supplied by at least one of said energy

storage elements to said load and **control demand by said load** in power from said at least one of said energy storage elements.

The Applicant therefore submits that amended claim 15 is patentable over Turner et al. and Upadhyay et al. taken either individually or collectively.

In view of all of the aforesaid, Applicant believes that the entire set of claims is neither anticipated nor obvious in view of the references of record.

Favorable reconsideration and the early issuance of the Notice of Allowance is earnestly solicited.

Respectfully Submitted,

Date: _____

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